S.B. Cr. Bail Application No. 5089/2007
(Lalu Ram Vs. State of Rajasthan)

Date of order : 23.10.2007

HON'BLE MR.H.R.PANWAR,J.

Mr. H.S.Shrimali for the petitioner.
Mr. Ashok Upadhyay, P.P.

Heard learned counsel for the petitioner and public prosecutor for the State. Perused the order impugned and police investigation diary.

It is contended by learned counsel for the petitioner that there had been two FIRs, one for executing forged power of attorney and one for execution of sell deed.

Learned public prosecutor submits that Gaur Singh who was real owner of the land died on 6.7.88 and almost after 18 years of his death, on 18.4.2006 one Banwari Lal impersonating himself to be Gaur Singh prepared a forged power of attorney and the petitioner was attesting witness, whereas Gaur Singh was not alive on the relevant date and on the strength of the said power of attorney, land has been transferred. That has not been disputed. In such matters, custodial interrogation is necessary. In the circumstances, therefore, it is not a fit case to release the petitioner on anticipatory bail.

The bail application filed by the petitioner under Section 438 Cr.P.C. is therefore, dismissed.

(H.R.PANWAR), J.

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